

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VA
RICHMOND DIVISION

IN RE:
RICHARD EARL SOUELS
Debtor(s)

BCN#: 09-38062/DOT
Chapter: 13

GMAC MORTGAGE, LLC
or present noteholder,
Movant/Secured Creditor,

v.
RICHARD EARL SOUELS
Debtor(s)

NOTICE OF DEFAULT

and
CARL M. BATES
Trustee
Respondents

The undersigned, Attorney for GMAC MORTGAGE, LLC, hereby certifies to the best of his/her knowledge, information, and belief that the following is true and correct:

1. On June 22, 2010 this Court entered an Order in the above-styled case providing that the debtor(s) was to have cured all post-petition arrearages and was not to default for a period of thirty days in making future, monthly, post-petition payments.


2. As of November 23, 2010, the Movant has not received the post-petition payment that was due September 1, 2010.

3. The present amount of the post-petition arrearages is \$4,602.37, which figure includes September 2010 through November 2010 monthly payments and July 2010 through November 2010 stipulated payments.

4. Unless a response is filed within fifteen days, the amount necessary to cure this Notice of Default is \$4,602.37 if paid on or before December 1, 2010, or \$4,962.00 if paid after December 1, 2010. This amount must be received in the office of Shapiro & Burson, LLP, counsel for the movant, at the address listed below on or before the 12/7/10 in the form of a cashiers' check or certified funds payable to the Movant. Cash and/or money orders cannot be accepted.

Trenita Jackson-Stewart, Esquire VSB# 48412
SHAPIRO & BURSON, LLP
236 CLEARFIELD AVENUE, SUITE 215
VIRGINIA BEACH, VA 23462
(757) 687-8777 09-169446D

5. This Notice of Default is being filed in accordance with the Court Order of June 22, 2010, the Order stipulating that the Notice of Default must be cured within 15 days of the mailing of this affidavit or that a response must be filed to said notice denying the default and requesting a hearing.

By:  Date: 11-23-10
TRENITA JACKSON STEWART, Esquire

I hereby certify that on this 23 day of Nov, 2010, I electronically transmitted and/or mailed copies of the foregoing by first-class mail, postage prepaid to:

RUDOLPH C. MCCOLLUM, JR.
P.O. BOX 4595
RICHMOND, VA 23220

CARL M. BATES
P.O. BOX 1819
RICHMOND, VA 23218

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